



Australian Government
Refugee Review Tribunal

Country Advice

Iraq

Iraq – IRQ37184 – Bidoons – UNHCR Advice

9 September 2010

- 1. 1) Please provide information on the current status of “Bidoons” in Iraq. In particular: what rights to reside and enter do they have and what access do they have to basic services such as health and education? Are they entitled to any form of ID documents?**
- 2) Are there any current reports of Bidoons being mistreated by members of the community or the authorities in Iraq since the fall of the Baath regime?**

The United Nations High Commission for Refugees (UNHCR) responded to the Tribunals request on 9 September 2010. The response follows:

Bidouns in Iraq:

Bidouns received support from the former regime (mainly Tarek Azziz), who provided them with nationality certificates and passports and considered them as supportive of the Iraqi regime, when they entered Iraq from Kuwait. The former regime provided a single opportunity to the Bidouns called “Makremiayah”, which refers to a generous act aimed at finding a solution to the “legal limbo” in which the Bidouns found themselves after their deportation from Kuwait.

Despite the fact that a stateless person formally needs to prove that he or she was registered during the 1957 Iraqi national census to be again registered, the relevant Iraqi authorities are reported to have maintained a certain degree of flexibility regarding the group of Bidouns. Bidouns could have access to Iraqi nationality through their affiliation to some tribes, and the tribes played an important role in the naturalization of many of them (e.g in Samawa where the Bdour and Ghizi tribes are powerful), provided they do not declare “Kuwait” as their place of birth (for those born in Kuwait).

This means that the former regime was generous in granting citizenship to the Bidouns but the affiliation of some of them to the Iraqi tribes facilitated the process and helped some groups become naturalized with relatively ease.

Bidouns who were granted the Iraqi citizenship and enjoy the rights of the Iraqis are estimated to be 6,955 families (47,417 individuals) mainly living in the southern part of Iraq.

Those families are reported having acquired Iraqi nationality at the time of the former regime and possess the Iraqi ID and nationality certificates. They enjoy the same rights as all Iraqis, although many of them are reported to live in bad conditions and need assistance, mainly in terms of shelter. However, they live integrated with the host community and face no discrimination from the Government or the community. Bidouns “deportees from Kuwait”, although granted citizenship, were not allowed to own property inside the cities. Association of the Bidouns with the “Ashab Al Haq” (rights holders) helped some of them to own houses mainly through tribal influences while others continue to live in illegal buildings and settlements. They do, however, have the same status as all Iraqis and their poor living conditions are similar to those of the host community. Their right to own immovable property remains an issue.

The Bidouns who were not granted the Iraqi citizenship constitute the majority and live out of the city as “nomads”, scattered mainly in the desert at the border of Basra with Samawa and Thi-Qar Governorates. These Bidouns do not hold Iraqi ID cards, nationality certificates or PDS cards, their children are not registered and they do not have access to health facilities, they marry according to their tribal customs and do not register their marriages, they also solve their internal conflicts according to the same customs. They live in precarious conditions and have only tents as shelter. These Bidouns seem to ignore the possibility for them to regularize their situation, while others have rejected the Iraqi nationality and continue to claim their Kuwaiti origins and rights in Kuwait. They are estimated by the Residency and Nationality Directorate to be 5,430 families (54,500 individuals)¹.

Attachments

1. United Nations High Commission for Refugees (UNHCR), 2010, Email ‘Bidoon in Iraq’, 8 September

¹ United Nations High Commission for Refugees (UNHCR), 2010, Email ‘Bidoon in Iraq’, 8 September – Attachment 1